

Open Space

Overview: *The Open Space section of Chapter 3 includes discussion of:*

- *Parks planning;*
- *Open space acquisitions;*
- *Green Streets implementation issues;*
- *Northgate Open Space Fund; and*
- *Urban Trails issues.*

SUMMARY OF OPEN SPACE VISION, POLICIES AND IMPLEMENTATION GUIDELINES

The Northgate Plan envisions open space and an extensive pedestrian network as essential components to provide for open space needs of the area's population, and to offset the environmental impacts of dense development in the Northgate area. According to the Northgate Plan, the open space element focuses on providing quality open space in sufficient quantity and variety to meet the needs of workers, shoppers, students, and visitors, as well as providing recreational and natural spaces for the residential population. The Northgate Plan seeks to: expand and enhance existing parks, undeveloped street-ends, and natural areas with additional park and natural spaces; promote urban spaces such as plazas, seating areas, and pedestrian connections between open spaces; and result in additional public amenities throughout the area.

Policy 12 states, *"A system of open spaces and pedestrian connections shall be established to guide acquisition, location, and development of future open space and to establish priorities for related public improvements."* The six implementation guidelines discuss:

- the open space map, Figure 22 in the Northgate Plan;
- open space requirements for new development;
- types of open space to fulfill requirements;
- establishing criteria for locating open space;
- preserving/enhancing existing natural areas, and acquiring and developing new public open spaces; and
- priorities for Northgate open space.

Northgate Plan's Priorities for Open Space

Figure 22 of the Northgate Plan is a map that identifies the City's priorities for open space purchase and development. The Northgate Plan indicates that these locations were "designed to integrate a variety of elements into an open space system, including landscaped and usable parks, urban plazas, landscaped arterials, stream ravines, an urban trail, Green Streets, and natural areas." The priorities are further defined as:

- Town Square in the core area;
- Urban Plazas, adjacent to buildings with large employment;

- Active Park (on the existing Metro Park-and-Ride lot at 5th Avenue NE/NE 112th Street);
- Passive Parks at three locations (536 NE 104th Street, 525-529 NE 103rd Street, and on the west side of 12th Avenue NE north of Northgate Way);
- Type 4 Green Streets, mostly along Thornton Creek; and an
- Urban Trail in the Thornton Creek area.

ACTIONS TO DATE

The extensive definitions of open space requirements for private development were adopted into the Land Use Code and are applicable to substantial development proposals in the Northgate area. The priorities for Northgate open space efforts were intended to influence City department priorities and decisions about park, recreation and open space improvements.

Implementation actions since Northgate Plan adoption included:

- securing of open space with play equipment and picnic tables next to the Northgate Way QFC and Victory Creek (arranged through a Property Use and Development Agreement);
- preliminary coordination related to future acquisition of the Northgate Plan's highest priority active park site at the 5th Avenue Park-and-Ride lot;
- inclusion of proposed open space improvements within the Mall's revised General Development Plan;
- provision of on-site landscaped and usable open space on other new development sites; and
- the planned new library and a new community center, which will accommodate a variety of social, cultural and recreational opportunities for the community.

Open Space Acquisitions

The Department of Parks and Recreation (DPR) has obtained nine open space parcels totaling 4.1 acres along Thornton Creek and Victory Creek since 1991 (see Figure 8). Eight of these parcels along Thornton Creek were purchased between June 1991 and July 1994 for a total of \$790,000. DPR's funding sources included allocations from King County's Waterways 2000, Conservation Futures, and Open Space and Trail fund programs. A one-acre parcel along Victory Creek was obtained by the City in 1993 or 1994 as a donation from the QFC development near Roosevelt Way/Northgate Way. These purchases supplemented other public passive open space in the Thornton Creek vicinity (the current publicly owned acreage is approximately 20 acres).

Green Streets

Subsequent to the adoption of the Northgate Plan, standards for the development of Green Streets were established, in DCLU Director's Rule 11-93 and SED Director's Rule 93-4. These standards describe design elements, and how Green Street designation and development requests are evaluated.

Figure 8 – City Owned Property

The Touchstone commercial development between 3rd Avenue NE and 5th Avenue NE will provide Green Streets improvements along the street edge abutting 3rd Avenue NE, as required by the designation in the Northgate Plan. The improvements will consist of wider sidewalk/planter strips, and additional street trees. This 3rd Avenue NE location was the most likely location for Green Streets to be provided by private development, due to the attractiveness of the site for new commercial development. These improvements will not restrict auto traffic flow. However, Touchstone will also provide a cul-de-sac on 3rd Avenue NE south of NE 115th Street that will restrict traffic from using neighborhood streets to the north.

CITIZEN COMMENTS

Citizen comments include concerns that:

- new development should provide required amounts of open space in a suitable form, including each phase of the Mall's GDP;
- additional open space and parks be provided, to meet the needs of residents and offset impacts of denser development;
- the 5th Avenue NE Park-and-Ride lot should be converted only to park/open space use, not linked with community centers, libraries or housing;
- Green Streets should be implemented on 8th and 12th Avenues NE and other locations, as envisioned by the Northgate Plan, especially because of the effects of commercial traffic on neighborhoods near the core;
- neither daylighting of Thornton Creek nor the desired Urban Trail on the Mall's south lot has been included in the Mall's GDP;
- in response to this evaluation, commenters generally favored not pursuing use of the in-lieu contribution strategy of the Open Space Fund, instead wanting each development to provide its share of open space;
- in response to this evaluation, commenters indicated the City should commit to pedestrian improvements along Green Streets-designated streets.

DISCUSSION

Parks

The 5th Avenue NE park site proposed in the Northgate Plan is still owned by King County and operated as a park-and-ride lot. Concurrent with the Northgate Mall GDP process, the City of Seattle, King County and Simon Property Group have discussed the potential for City acquisition of the 5th Avenue NE site and replacement of the park-and-ride spaces through a shared parking agreement with the Northgate Mall. All parties are still considering this possibility, pending resolution of GDP appeals. If the current Mall GDP is ultimately approved, the park site could be acquired and redeveloped within 5-7 years, if approved by the Seattle and King County Councils. If the current Mall GDP is not approved, different plans for replacement parking would need to be arranged before the 5th Avenue NE park-and-ride would be available for park use. The ProParks 2000 funding proposal currently allocates \$3 million toward purchase of this site and \$1 million toward park improvements.

Of the three listed locations for passive parks, an area at 12th Avenue NE north of Northgate Way was obtained as part of QFC development approval. This includes approximately one acre and has passive open space, picnic tables, interpretive signage and playground equipment.

The other two locations identified by the Northgate Plan have not yet been secured for passive parks. The location at NE 104th Street near Thornton Creek contains an occupied single-family house. The location at NE 103rd Street is a vacant single-family zoned property once occupied by a house that has been removed. The property slopes up to the east and south and is bordered to the east and south by single-family residences, and adjacent to a small commercial building (in a NC 3-40 zone) to the west. Department of Parks and Recreation (DPR) staff indicate that the City could re-examine these properties and seek funding to negotiate with the owners to purchase them for passive park uses.

Open Space Acquisitions

Over the past few years, less money was available for open space purchases than in previous years because the City was not as successful in obtaining Conservation Futures funds from King County. There were also few opportunities identified by DPR for open space purchases in the Northgate area. DPR could specifically re-examine the Northgate area for open space purchase opportunities, and will continue to seek funding for open space purchases from King County Conservation Futures funds and other sources. DPR will also seek additional funding authority for park/recreation-related levies through the ProParks 2000 effort. If levies were approved by voters, levy funds would reduce dependence upon Conservation Futures funds for open space purchases.

Green Streets

Green Streets are identified in Figure 22 of the Northgate Plan as among the City's priorities for additions to the public open space system. Figure 22 categorizes the Green Streets in two designations: "Street Parks II and III", and "Type IV Street Parks." Street Park is an older term for pedestrian-oriented open space provided within street rights-of-way in the city's most intense urban areas. Street Parks II and III are the same as the City's current concept of Green Streets, emphasizing auto traffic limitations and pedestrian amenities such as expanded-width sidewalks on at least one side of a street, trees and benches. However, the City's Green Street concept requires adjacent higher-density development, and is not applicable to single-family residential areas. In the Northgate Plan, Green Streets are identified in four street segments:

- 3rd Avenue NE between Northgate Way and NE 115th Street;
- 8th Avenue NE between NE 88th and NE 107th Streets;
- 12th Avenue NE between NE 88th and NE 103rd Streets; and
- Pinehurst Way between NE 120th and NE 125th Streets.

The 8th and 12th Avenue NE locations are within single-family residential areas, while the 3rd Avenue NE and Pinehurst Way locations are adjacent to mixes of commercial and residential uses. The Northgate Plan anticipated that implementation of Green Streets would be funded by substantial development adjacent to the designated streets.

The City's current concept of Green Streets assumes that new adjacent commercial and/or multifamily development will fund most of the improvement costs. In higher density areas (such as the Denny Triangle area near Downtown), a density bonus incentive is provided to encourage provision of Green Streets. The Northgate Plan's concept of Green Streets funding also assumes the possibility of private funding with substantial development, funding through local improvement districts (LIDs), and/or use of funds from a Northgate Open Space Fund gathered from in-lieu contributions by private developers. No other public funding source is mentioned.

Green Streets have proven difficult to implement anywhere in the city, due to funding, cost and design issues. Even with density bonus incentives, developers in higher-density areas have not provided Green Streets improvements. During the recent citywide neighborhood plan adoption process, many neighborhoods designated Green Streets, in higher-density as well as lower-density areas. The wide variety of streets designated as Green Streets has contributed to lack of clarity about what the designation means, and how it can best be implemented. The Green Streets concept and implementation issues are scheduled for review this year by the Council and Executive.

Green Streets implementation in Northgate is hindered by the content of the Northgate Overlay District code (SMC 23.71) and the zoning along some of the designated street segments. Along the 8th and 12th Avenue NE designated Green Streets, the zoning is entirely for single-family residential uses. Section 23.71.010 (Northgate Overlay District) indicates that Green Streets improvements are required to be provided by the owner when *substantial development* is proposed. However, given the definition of substantial development as new or expanded structures 4,000 square feet or greater, future new substantial development is unlikely to ever occur in single-family zoned areas, and thus implementation of any Green Streets improvements in single-family areas, funded by new development, is unlikely.

Since 1993, no private funding source for Green Streets improvements in the single-family areas has emerged, from privately-arranged LIDs or new development projects. Also, there were no in-lieu contributions to a Northgate Open Space Fund (by private commercial or multifamily developers) and thus no opportunity to allocate funds to Green Streets from that source.

In addition to the funding issues, the width of available right-of-way, topography, large power poles, and the shallow setbacks of houses along some portions of 8th Avenue NE (and possibly portions of 12th Avenue NE) may constrain the ability to provide full-width pedestrian improvements meeting the current definitions of Green Streets (see DCLU Director's Rule 11-93). Most of 8th Avenue NE and some of 12th Avenue NE in this vicinity has a 40-foot right-of-way width (12th Avenue also has some 50-foot and 60-foot

8th Avenue NE, looking north from NE 100th Street.

widths). The 40-foot width is relatively narrow, compared to the more common 60-foot width of many local streets. Different segments of the designated corridors may be able to support different configurations of improvements, such as a more standard sidewalk configuration (one side or both sides of the street) that might better fit in with the physical setting on certain blocks.

Given the funding difficulties and physical constraints, the City and community should adjust the strategy for Green Streets improvements along 8th Avenue NE and 12th Avenue NE. For example, the community may wish to alter the designation to specify that City funding (such as neighborhood matching funds) or some other arrangement of private funding should be sought to achieve the streetscape improvements. These projects would compete for City funding with numerous other improvement projects around the City. If another arrangement of private funding was preferred, the City and community could pursue the use of LIDs, an option already discussed in the Northgate Plan. SEATRAN has a staff person that coordinates LIDs, that can provide assistance in future planning for LIDs.

However, there are at least three major difficulties with successfully implementing LIDs:

- the high cost of street improvements;
- securing LID approval and private funds from adjacent property owners; and
- securing public funds.

Sidewalk and related drainage improvements typically cost hundreds of thousands of dollars per block. It is difficult to convince adjacent property owners to pay a share of the improvement costs, and public fund sources have not been allocated for this type of improvement. See the Financing section of this chapter for further discussion of financial challenges in setting up LIDs.

According to City staff, reliance only on public fund sources is not a feasible alternative for financing Green Streets improvements on non-arterials, due to the high costs of the improvements, and the lack of public funds budgeted for that purpose. The City Council is reviewing sidewalk improvement funding issues in response to recent neighborhood planning efforts.

Seattle Public Utilities (with SEATRAN) is currently designing and installing a pilot residential street redesign project in the Broadview vicinity, known as Street Edge Alternative or “SEA Streets.” This approach offers an alternative to the typical, expensive system of curbs, gutters and drainage pipes by using innovative drainage, street and landscape designs to control stormwater drainage. If successful, this type of design could provide a “greener” and less expensive approach for improving some residential streets in the Northgate area. Financing of such improvements would require participation by property owners, perhaps as an LID.

Northgate Open Space Fund

To date, new development in the Northgate planning area is not known to have used the voluntary in-lieu contribution to a Northgate Open Space Fund, as allowed by SMC 23.71.014 A 8. This section does not indicate that such a fund was established, and additional action by the City Council may be needed to establish the fund. The Open Space Fund was to be funded solely by in-lieu contributions. The Northgate Plan expected that the funds could be used to support additional open space, recreation and Green Streets improvements, and called for sub-accounts distributed by geographical area. This concept, of course, assumed that developers would use the in-lieu option and that sufficient funds would be generated. The Fund was intended to promote the concept that larger amounts of open space (or pedestrian amenities such as Green Streets) purchased with the Open Space Fund would be more beneficial to the community than scattered bits of open space provided on individual development sites.

The potential funding benefits of the Open Space Fund have not been realized to date, because the option to provide in-lieu contributions instead of on-site open space was not exercised by the applicants for new development. The voluntary nature of this strategy is one probable factor in its lack of use. Another may be the complexity of interpreting the Code. It appears that most new commercial development provided relatively small paved plaza areas with benches and modest landscaping to meet the code requirements initially written in the Northgate Plan.

Review of the Northgate Plan and the Land Use Code for this analysis indicates that the text in the Land Use Code adds more complexity to the open space requirements than was intended by the Northgate Plan, and thus perhaps discourages use of the in-lieu contribution to the Open Space Fund. Rather than allowing the in-lieu fee to substitute for the entire amount of the *usable* open space requirement, the Code requires that a certain amount of usable open space be provided, even if the in-lieu fee is provided¹. Therefore, developers still must provide usable open space on all sites, and do not have as much flexibility as the Northgate Plan apparently intended. The reduced area eligible for in-lieu contributions also decreases the potential amount of funds that could be collected by the City.

Adjustments to the Land Use Code could be pursued by DCLU if the City wishes to simplify the in-lieu contribution option and encourage use of the Northgate Open Space Fund. Adjustments that would allow developers to provide an in-lieu contribution for the entire usable open space requirement would bring the code more in line with the original intent of the Northgate Plan. Potential changes to the code could be very simple with only a small number of text edits. There would still be no guarantee that this option

¹ Compare IG 12.2 “Open Space Requirement”, part A3 to Land Use Code section 23.71.014. The Northgate Plan indicates a voluntary contribution to the Open Space Fund may be made “...provided that a minimum of 5% of the site is in landscaped open space.” Even if the Open Space Fund provision in Section 23.71.014 A 8 is used, the Code requires 5% of the site in landscaped open space, plus a proportion equal to at least 3% of the site in usable open space. The remaining portion of the open space requirement, either 2% or 7% of the site, depending on the zone, can be covered by the in-lieu fee.

would be chosen by developers, but it might become more attractive over the long-term if denser development is sought in new projects.

The tradeoff in promoting use of the Northgate Open Space Fund would be that on-site usable open space would not be provided at all new developments, but funds would be generated that could be used for other off-site open space improvements, such as Green Streets improvements or passive parks. Some citizen comments have suggested that all new development should meet their usable open space requirements on-site. This contradicts the intent of the Northgate Open Space Fund concept that was created in the Northgate Plan. The lack of Open Space Fund contributions also precluded use of these contributions to fund Green Streets improvements.

Urban Trails and Other Pedestrian/Bicycle Improvements

Urban Trails

To date, the urban trail concept (pages 58-59) along Thornton Creek has not been implemented. During the original Northgate planning effort, several residents along the creek strongly objected to a public trail in Thornton Creek ravines, primarily for privacy, public safety and environmental reasons. Policymakers compromised by endorsing access improvements to publicly owned parcels along the creek, but not a continuous trail. DPR reports that funding for access improvements was included in past budget proposals, but was cut prior to approval by the City Council.

Portions of the urban trail that are shown in the Northgate Plan as traversing the south lot of the Mall are not proposed by the Mall's GDP. The Hearing Examiner's decision on the appeal of the Mall GDP indicated that neither the Land Use Code nor the Northgate Plan provide requirements or guidance as to the implementation of the Urban Trail on private properties. The Northgate Plan's (pages 58-59) Urban Trail text is directed to providing a "*low impact, pedestrian trail providing access to the publicly owned parcels (Department of Parks and Recreation) in the south fork of Thornton Creek (a.k.a. Swamp Creek and Maple Leaf Creek) between 5th Avenue NE and Roosevelt Way NE and between 15th Avenue NE and Lake City Way NE.*" The intended means of trail implementation west of 5th Avenue NE is not discussed in the Northgate Plan text. The Urban Trail was not translated to requirements in the Land Use Code and the City could not compel the mall owners to include the angled Urban Trail configuration in the GDP.

SPO Recommendations

- **Continue to coordinate with the Mall owner and King County to pursue relocation of the park-and-ride capacity from the 5th Avenue NE lot to the Northgate Transit Center vicinity. Also, determine how planning for improvements at the 5th Avenue NE site will occur, assuming that parking is relocated and the 5th Avenue NE parcel is obtained by the City.**

In order to proceed with relocating park-and-ride capacity to the Mall property adjacent to the Northgate Transit Center, King County would need to reach an agreement with the Mall owner. The City would then need to reach a purchase agreement with King County to transfer the property to City ownership.

- **Seek funding for additional purchases of property for passive parks, per the Northgate Plan.**
- **With community participation, review the Green Streets designations for 8th and 12th Avenue NE (and other small street segments located in single-family zoned areas) so that funding and design concepts are better understood and more feasible to implement.**
- **Evaluate text changes to the Land Use Code to promote the effectiveness of the existing Northgate Open Space Fund in-lieu contribution program, so that contributions are more likely to be made.**
- **Continue to seek opportunities and funding for open space acquisitions and public access improvements to Thornton Creek natural areas, but not a continuous trail through the entire creek corridor.**